

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hassan Serhan et al. Confirmation No. 7992
Serial No. : 10/676,869 Art Unit: 3733
Filed : September 30, 2003 Examiner: A.R. Reimers
For : METHODS AND DEVICES TO REPLACE SPINAL DISC NUCLEUS
PULPOSUS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This correspondence is in response to the Restriction Requirement mailed October 20, 2006.

RESPONSE

In response to the Examiner's Restriction Requirement, Applicant elects Group I, claims 1-7 with traverse. Applicant respectfully requests reconsideration and dismissal of the restriction requirement on the grounds that the burden and costs placed on Applicant to file, prosecute, and maintain a separate patent application far outweighs the burden placed on the Examiner to do additional searching.

DEP-5172USNP
S.N. 10/676,869

Should the Examiner have any questions about the above traversal, the Examiner is invited to call the undersigned at the phone number given below.

Respectfully submitted,

By: /Theodore J. Shatynski/
Theodore J. Shatynski
Reg. No. 36,676

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2498
Dated: October 26, 2006
Customer No. 000027777